

**FILED**

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CLERK, U.S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

BY

DEPUTY CLERK

BENJAMIN B. WAGNER  
United States Attorney  
JOHN K. VINCENT  
BRIAN A. FOGERTY  
Assistant United States Attorneys  
501 I Street, Suite 10-100  
Sacramento, CA 95814  
Telephone: (916) 554-2700  
Facsimile: (916) 554-2900

Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

KULVIR SINGH CHEEMA,

Defendant.

CASE NO. **2:16 - CR - 0070 GEB**

18 U.S.C. § 152(3) – False Bankruptcy Declaration;  
18 U.S.C. § 152(1) – Concealment of Bankruptcy  
Assets; 18 U.S.C. § 152(7) – Fraudulent Transfer; 18  
U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –  
Criminal Forfeiture

INDICTMENT

COUNT ONE: [18 U.S.C. § 152(3) – False Bankruptcy Declaration]

The Grand Jury charges: T H A T

KULVIR SINGH CHEEMA,

defendant herein, on or about April 8, 2011, in the State and Eastern District of California, in and in  
relation to a bankruptcy case under Title 11 of the United States Code, specifically, *In re Kulvir Singh*  
*Cheema*, No. 11-28899, in the United States Bankruptcy Court for the Eastern District of California, did  
knowingly and fraudulently make a material false declaration, certificate, verification, and statement  
under penalty of perjury as permitted under Title 28, United States Code, Section 1746, by submitting a  
Voluntary Petition, Schedules of Assets and Liabilities, and a Statement of Financial Affairs, all of  
which included false information and representations as set forth more fully below, among others:

- (1) In the Voluntary Petition, defendant KULVIR SINGH CHEEMA knowingly and fraudulently provided false information concerning his street address;
- (2) In Schedules D, E, and F, defendant KULVIR SINGH CHEEMA knowingly and fraudulently represented that he was listing all of his creditors. In truth and in fact, there was another creditor known to the Grand Jury, referred to herein as Person A, to whom defendant CHEEMA owed money for the purchase of property;
- (3) In Schedule I, defendant KULVIR SINGH CHEEMA knowingly and fraudulently claimed that he was employed by a company known to the Grand Jury and referred to herein as Company GVE;
- (4) In Schedule I, defendant KULVIR SINGH CHEEMA knowingly and fraudulently claimed that he received \$2,800 monthly from his employment with Company GVE;
- (5) In the response to Question 1 of the Statement of Financial Affairs, which directed defendant KULVIR SINGH CHEEMA to report his income from his employment from the beginning of 2011 and the two years previous to that, defendant KULVIR SINGH CHEEMA knowingly and fraudulently reported income in the amount of \$10,589 during 2009 from a company known to the Grand Jury and referred to herein as Company FEE when, in truth and in fact, he had received more than that from Company FEE;
- (6) In the response to Question 1 of the Statement of Financial Affairs, defendant KULVIR SINGH CHEEMA knowingly and fraudulently reported income in the amount of \$24,124 during 2010 from Company GVE when, in truth and in fact, he had not received money from GVE during 2010;
- (7) In response to Question 1 of the Statement of Financial Affairs, defendant KULVIR SINGH CHEEMA knowingly and fraudulently reported income in the amount of \$8,400 during 2011 from Company GVE when, in truth and in fact, he had not received money from GVE during 2011;
- (8) In response to Question 5 of the Statement of Financial Affairs, defendant KULVIR SINGH CHEEMA knowingly and fraudulently reported that he had lost the property at 648 West Boesch Drive, Ripon, California through repossession, foreclosure, transfer

through a deed in lieu, or return to the seller within a year immediately preceding the commencement of his bankruptcy when, in truth and in fact, that had not happened;

(9) In response to Question 10 of the Statement of Financial Affairs, defendant KULVIR SINGH CHEEMA knowingly and fraudulently represented that he had not transferred any other property, other than property transferred in the ordinary course of business or his financial affairs, within two years immediately preceding commencement of his bankruptcy when, in truth and in fact, he had transferred 648 West Boesch Drive, Ripon, California in or about January 2010 to a person known to the Grand Jury and referred to herein as Person B as part of a short sale;

(10) In response to Question 15 of the Statement of Financial Affairs, defendant KULVIR SINGH CHEEMA knowingly and fraudulently represented that 648 W. Boesch Drive, Ripon, California was a prior address and that he had occupied that premises between February 2006 to December 2009, when, in truth and in fact, defendant CHEEMA was residing there at the time he filed his bankruptcy petition.

All in violation of Title 18, United States Code, Section 152(3).

COUNT TWO: [18 U.S.C. § 152(1) – Concealment of Bankruptcy Assets]

The Grand Jury further charges: T H A T

KULVIR SINGH CHEEMA,

defendant herein, on or about April 8, 2011, in the State and Eastern District of California, in connection with a case under Title 11 of the United States Code, specifically *In re Kulvir Singh Cheema*, No. 11-28899, in the United States Bankruptcy Court for the Eastern District of California, knowingly and fraudulently concealed from the trustee charged with control of his property, from the creditors, and from the United States Trustee property belonging to him as set forth more fully below, among others:

(1) In Schedule I, defendant KULVIR SINGH CHEEMA knowingly and fraudulently did not report his current monthly income from a company known to the Grand Jury and referred to herein as Company ORX;

(2) In response to Question 1 of the Statement of Financial Affairs, defendant KULVIR SINGH CHEEMA knowingly and fraudulently did not report income that he received

1 from Company ORX in 2009, 2010, and 2011;

2 (3) In response to Question 14 of the Statement of Financial Affairs, defendant KULVIR  
3 SINGH CHEEMA knowingly and fraudulently did not disclose that he controlled several  
4 trucks held in the name of ORX, and several bank accounts held in the names of ORX  
5 and another individual referred to herein as Person C;

6 (4) In response to Question 8 of Part II of the Chapter 7 Statement of Current Monthly  
7 Income and Means-Test Calculation, defendant KULVIR SINGH CHEEMA knowingly  
8 and fraudulently did not disclose money that was paid by another person on a regular  
9 basis for his household expenses and those of his dependents;

10 (5) In response to Question 10 of Part II of the Chapter 7 Statement of Current Monthly  
11 Income and Means-Test Calculation, defendant KULVIR SINGH CHEEMA knowingly  
12 and fraudulently did not disclose his income from Company ORX.

13 All in violation of Title 18, United States Code, Section 152(1).

14 COUNT THREE: [18 U.S.C. § 152(7) – Fraudulent Transfer]

15 The Grand Jury further charges: T H A T

16 KULVIR SINGH CHEEMA,

17 defendant herein, in or about January 2010, in contemplation of the filing of bankruptcy proceedings  
18 under Title 11 of the United States Code, and with the intent to defeat the provisions of Title 11,  
19 knowingly and fraudulently transferred to Person B property belonging to defendant KULVIR SINGH  
20 CHEEMA, specifically property located at 648 W. Boesch Drive, Ripon, California, all in violation of  
21 Title 18, United States Code, Sections 2 and 152(7).  
22

23 FORFEITURE ALLEGATION: [18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) –  
24 Criminal Forfeiture]

25 1. Upon conviction of one or more of the offenses alleged in Counts One through Three of  
26 this Indictment, defendant KULVIR SINGH CHEEMA shall forfeit to the United States, pursuant to 18  
27 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c), all property, real and personal, which constitutes or is  
28 derived from proceeds traceable to such violations, including, but not limited to:

1 a. A sum of money equal to the amount of proceeds traceable to such offenses, for  
2 which defendant is convicted.

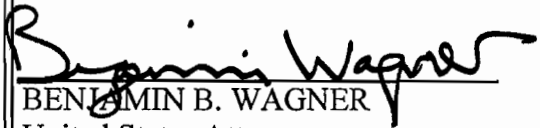
3 2. If any property subject to forfeiture, as a result of the offenses alleged in Counts One  
4 through Three of this Indictment, for which defendant is convicted:

- 5 a. cannot be located upon the exercise of due diligence;  
6 b. has been transferred or sold to, or deposited with, a third party;  
7 c. has been placed beyond the jurisdiction of the court;  
8 d. has been substantially diminished in value; or  
9 e. has been commingled with other property which cannot be divided without  
10 difficulty;

11 it is the intent of the United States, pursuant to 28 U.S.C. § 2461(c), incorporating 21 U.S.C.  
12 § 853(p), to seek forfeiture of any other property of said defendant, up to the value of the property  
13 subject to forfeiture.

14 A TRUE BILL.

15  
16 **/s/ Signature on file w/AUSA**  
17 FOREPERSON

18   
19 BENJAMIN B. WAGNER  
United States Attorney



2:16 - CR - 0070 GEB

No. \_\_\_\_\_

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**UNITED STATES DISTRICT COURT**

*Eastern District of California*

*Criminal Division*

**THE UNITED STATES OF AMERICA**

vs.

**KULVIR SINGH CHEEMA**

*-summons*

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**INDICTMENT**

**VIOLATION(S):** 18 U.S.C. § 152(3) – False Bankruptcy Declaration; 18 U.S.C. § 152(1) – Concealment of Bankruptcy Assets; 18 U.S.C. § 152(7) – Fraudulent Transfer; and 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Criminal Forfeiture

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*A true bill.*

**/s/ Signature on file w/AUSA**

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*Foreman.*

*Filed in open court this* \_\_\_\_\_ *day*

*of* \_\_\_\_\_ *, A.D. 20* \_\_\_\_\_

-----  
*Clerk.*

*Bail. \$* \_\_\_\_\_

*Summons*

*Carrie Delaney*

**2:16 - CR - 0070 GEB**

**Defendant: Kulvir Singh Cheema**

**COUNT 1:**

**VIOLATION:** 18 U.S.C. § 152(3) – False Bankruptcy Declaration

**PENALTIES:** Maximum of 5 years in prison; or  
Fine of up to \$250,000; or both fine and imprisonment  
Supervised release of at least 3 years

**COUNT 2:**

**VIOLATION:** 18 U.S.C. § 152(1) – Concealment of Bankruptcy Assets

**PENALTIES:** Maximum of 5 years in prison; or  
Fine of up to \$250,000; or both fine and imprisonment  
Supervised release of at least 3 years

**COUNT 3:**

**VIOLATION:** 18 U.S.C. § 152(7) – Fraudulent Transfer

**PENALTIES:** Maximum of 5 years in prison; or  
Fine of up to \$250,000; or both fine and imprisonment  
Supervised release of at least 3 years

**SPECIAL ASSESSMENT:** \$100 (mandatory on each count)

**FORFEITURE ALLEGATION:**

**VIOLATION:** 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461(c) – Criminal Forfeiture

**PENALTIES:** As stated in the charging document